



United States Department of State
Washington, D.C. 20520

Frequently Asked Questions

Exchange Visitor Program Summer Work/Travel Program

Introduction: Some information about the Exchange Visitor Program

Purpose

The purpose of the Summer Work/Travel program is to provide *bona fide* foreign post-secondary students an opportunity to become directly involved in the daily life of the people of the United States through travel and temporary work for a period up to four months during their summer vacation.

Regulations

The regulations governing the Summer Work/Travel program are found at 22 *CFR* §62.32.

<http://exchanges.state.gov/education/jexchanges/about/22CFR62.pdf>

How does a foreign student participate?

The U.S. Department of State (DoS) administers the Exchange Visitor Program under the provisions of the *Mutual Educational and Cultural Exchange Act of 1961*, as amended. The Department of State designates U.S. organizations to administer exchange visitor programs in several categories. These organizations, once designated, are referred to as sponsors. A list of the designated sponsors in the category of Summer Work/Travel can be found on our website listed below. The majority of these sponsors have partners or agents located worldwide to assist interested students. Information on this program may be available by searching the Internet under “exchange programs” or the “J visa.”

Catalog of Department of State Designated Exchange Visitor Program Sponsors:

<http://exchanges.state.gov/education/jexchanges/catalog.htm>

What is the definition of “student”?

For the purpose of participation in the Summer Work/Travel program, “student” is defined as a *bona fide* foreign post-secondary student currently enrolled in and actively pursuing a degree or a full-time course of study at an accredited educational institution, or as that status is defined in the foreign nationals home country educational system.

How long does the Summer Work/Travel program last?

The Program dates entered on the Form DS-2019 sets the particular program duration, but no program can exceed four months. Participants may not work at any other time except during the period indicated on the Form DS-2019. Program extensions are not permitted. [22 CFR §62.32(a)]

What is the Student and Exchange Visitor Information System (SEVIS)?

SEVIS is an Internet-based system that provides tracking and monitoring, with access to accurate and current information, on nonimmigrant students (F and M visa), exchange visitors (J visa) and their dependents (F-2, M-2, or J-2). SEVIS enables Department of Homeland Security (DHS) certified schools and Department of State (DoS) designated exchange visitor program sponsors to transmit electronic information and event notifications, via the Internet, to DHS and DoS throughout a student's or exchange visitor's stay in the United States. SEVIS records will be updated by the school or sponsor to reflect status events for students and exchange visitors including, but not limited to, entry/exit data, changes of current United States address (residence), program extensions, employment notifications, and changes in program of study. SEVIS also provides alerts, event notifications and reports to the end-user schools and sponsors, as well as for DHS and DoS offices.

SEVIS is required by Section 641 of the *Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996*, Public Law 104-208 (as amended), which requires DHS to collect current information, on an ongoing basis, from DHS certified schools and DoS designated sponsors relating to nonimmigrant foreign students (F and M visas) and exchange visitors (J-visa) during the course of their stay in the United States.

The Form DS-2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status) needed to apply for a J visa can only be generated through SEVIS and issued by a DoS designated sponsor who has been authorized access to SEVIS.

What is the SEVIS I-901 Fee?

The SEVIS I-901 Fee is a fee paid to the Department of Homeland Security (DHS) by all F-1, F-3, M-1, M-3 and J-1 visa participants. It is used for the maintenance and upkeep of SEVIS. The SEVIS I-901 Fee for the Summer Work/Travel program is \$35.00. This fee must be paid prior to the visa interview. The Federal statute relating to SEVIS, [8 USC §1372 (e)(5)], requires that a student or exchange visitor present proof of payment before being granted a visa or admission to the United States. The SEVIS I-901 Fee payment receipt along with the electronic record in SEVIS serves as proof of payment. In most cases, Consular Officials who need to verify that the SEVIS fee has been paid can do so electronically. However, it is recommended that a copy of the SEVIS fee receipt be retained with all other immigration documents. Having the receipt will make it easier to provide proof that the fee has been paid. The receipt is also useful during a visa interview if

the foreign national is from a Visa Waiver country, or in the case of Canada is applying for J-1 status at the Port of Entry (POE). The receipt is also an assurance that the payment and fee information was properly processed and posted in SEVIS . In some cases, sponsors will pay the fee on behalf of their participants and include the cost in their program fees. In other cases, sponsors require participants to pay the fee. The choice is strictly up to the sponsor.

What is meant by program validation?

A foreign national who enters the United States to participate in an exchange visitor program must report to the sponsor who issued the Form DS-2019 used to acquire the J-visa. This permits the sponsor's officials to record arrival information in SEVIS confirming the foreign national's participation in the sponsor's exchange visitor program as required by the Exchange Visitor Program regulations [22 CFR §62.70(d)]. When the validation process is completed, the status of the participant's SEVIS record is changed from Initial (awaiting arrival) to Active (arrived and reported to sponsor). It is important to report to the sponsor on arrival in the United States to ensure that the SEVIS record properly documented.

Can I change my residence (U.S. address) during my program?

The U.S. address is where an individual resides in the United States (22 CFR §62.78). Check with the sponsor prior to becoming a participant. Whether a change in a residence address can occur during an exchange program depends on the contract or arrangements made with the sponsor or the potential employer. Some pre-arranged employment conditions include accommodations as a part of the employment agreement. In this case, a participant cannot seek other housing. If housing is not part of the exchange visitor program, the participant can change housing. A participant must, however, inform the sponsor of any change in their location of residence within 10 days of relocating (22 CFR §62.70(b)). Failure to report a change in residence will result in the termination of a participant's program participation.

Can I change my place of employment (Site of Activity) during my program?

Check with the sponsor prior to becoming a participant. Whether a change in a place of employment during an exchange program depends on the contract or arrangements made with the sponsor or the potential employer. Some pre-arranged employment conditions will not permit a change of employment. If a change in employment is made without authorization of the sponsor, the exchange visitor program will be terminated [22 CFR §62.40(1) and (3)]. A participant whose program is terminated is expected to leave the U.S. immediately. Failure to comply could result in difficulties for the participant that may affect their ability to travel, study or work in the United States in the future.

Can I work at more than one job while participating in the Summer/Work Travel program?

There is no regulatory prohibition against having more than one job. However, check with the sponsor prior to accepting a second position as this could be a violation of the sponsor's rules governing the administration of their program which could result in the termination of program participation if, in the sponsor's opinion, termination is warranted. [22 CFR §62.40]

Who do I contact if I have questions, concerns or need information concerning participation in the Exchange Visitor Program?

The sponsor should be contacted if you have questions about participation in the Summer Work/Travel program. The sponsor is responsible for a participant's stay in the United States and will provide assistance, as appropriate. However, if after contacting the sponsor your question, concern, or issue remains unresolved, you may contact the Office of Exchange Coordination and Designation, U.S. Department of State, who is responsible for the oversight and administration of the Exchange Visitor Program.

May participants work beyond the program end date if they enter the United States after the start date printed on the Form DS-2019?

Should participants enter the United States after the start date stated on their Form DS-2019, the sponsor may adjust the program begin and end dates prior to validation of a participant's record in SEVIS.

NOTE: Keep in mind that this period must not extend beyond the student's summer vacation, and the first day of the following term at the college or university at which the student is enrolled for courses.

What is the 30-day Grace Period?

The Department of Homeland Security (DHS) provides all J-1 program participants a 30-day travel status period following the completion of their program [8 CFR §214.2(j)(1)(ii)]. (This period is NOT included in the program dates entered on the Form DS-2019 (in Section 3 entitled "Form Covers Period"). The period of time is commonly referred to as a "grace period." The grace period allows participants to travel domestically and/or to prepare for and depart from the United States. It is not to be used for any other purpose. Program participants who travel beyond the boundaries of the United States during the grace period may not be permitted by DHS to re-enter the United States, as they are no longer in valid J-1 status during this time. Employment is prohibited during this grace period.

Is a student who has finished their course work, but who has not yet formally graduated, eligible for this program?

A foreign student who has finished his/her course work but has not yet formally graduated is not/not eligible for the program unless they can demonstrate enrollment in another degree program or otherwise demonstrate that they return *bona fide* student status of their academic institution.

Are foreign students attending vocational schools eligible for participation in this program?

No. Students attending a vocational school are **not** eligible to participate in the Summer Work/Travel program.

When may a foreign student participate in a Summer Work/Travel program?

Foreign nationals who are a full-time college or university students in their home country may participate in the Summer Work/Travel program only during their summer vacation. It is inappropriate for students to participate in this program outside the summer break provided in their host/home country's normal academic calendar. [22 CFR §62.32(a)]

How do sponsors screen and select program participants?

Sponsors are required to conduct a personal interview, and they must ensure that the program is suitable to the participant's background, needs, and experience. Sponsors must also ensure that participants meet the eligibility criteria defined below.

[22 CFR §62.10(a)(1-2)] and [22 CFR §62.32(b)(1-3)]

Student Status

Eligible program participants are *bona fide* post-secondary school students actively pursuing a degree or a full-time course of study at an accredited educational institution or, as that status is defined in their home country's educational system. Students who have completed their degree are no longer *bona fide* students. [22 CFR §62.32(b)(2)] and *Program Policy cleared and signed on June 25, 1996*

English-Language Proficiency

Prospective exchange visitor participants must possess sufficient proficiency in the English language to participate in their programs. [22 CFR §62.10(a)(2)]

Repeat Participation

There is no prohibition against foreign students participating in the Summer Work/Travel program for more than one year.

Are Summer Work/Travel program participants required to have medical insurance?

Yes. In fact, all exchange visitors, regardless of their program category, are required to have medical insurance. Sponsors shall require each exchange visitor to have insurance in effect that covers the exchange visitor for sickness or accident during the entire period of time that an exchange visitor participates in the sponsor's exchange visitor program as identified by the period of time stated on the Form DS-2019. Minimum coverage shall provide:

1. Medical benefits of at least \$50,000 per accident or illness
2. Repatriation of remains in the amount of \$7,500
3. Expenses associated with the medical evacuation of the exchange visitor to his or her home country in the amount of \$10,000
4. A deductible not to exceed \$500 per accident or illness.

[22 CFR §62.14(a)(1-4)]

The insurance policy, plan, or contract secured to fulfill the above requirements must meet other standards specified in the Exchange Visitor Program regulations.

See [22 CFR §62.14 (b)(1-3), (c)(1-4), (d), (e), (f) and (g)].

Exchange visitors who willfully fail to maintain the insurance coverage set forth in the regulations while participating in exchange visitor programs or who make material misrepresentations to the sponsor regarding such coverage are deemed to be in violation of the regulations and are subject to termination from the program. Sponsors shall terminate an exchange visitor's participation if the exchange visitor or accompanying spouse and/or dependents fail to remain in compliance with the regulations governing insurance coverage.
[22 CFR §62.14(h,i)]

Are sponsors required to provide orientation materials and sessions to their participants?

Sponsors are required to provide both pre-arrival information and an orientation session to all Summer Work/Travel program participants. The Exchange Visitor Program regulations published on April 13, 1999, distinguish between participants who enter the United States with pre-arranged employment and those who enter without pre-placement. The requisite pre-arrival materials for each group are described below. Requirements for orientation follow.

What information must program participants receive before they leave for the United States? (Pre-arrival Information)

The following information must be provided to participants who secured pre-placed/pre-arranged employment before their departure for the United States:

1. The name and location of the employer
2. Any contractual obligations related to acceptance of paid employment in the United States. (This should include, but not be limited to, such information as the dates of employment, the number of hours of work weekly, overtime requirement/pay, hourly salary, work hours, whether housing is included by the employer, and, if so, at what cost, etc.)

[22 CFR §62.32(c)(1-2)]

The following information must be provided to participants without pre-placed/pre-arranged employment. Items 1 and 2 must be provided prior to their departure for the United States. Item 3 may be given to participants when they arrive (i.e., at the orientation session) in the United States.

1. How to seek employment in the United States
2. How to secure lodging in the United States
3. A roster of *bona fide* job listings equal to or greater than the number of not pre-placed participants for whom the sponsoring organization facilitated entry to the United States

[22 CFR §62.32(d)(1-4)]

ALL participants (pre-placed/pre-arranged and not pre-placed/prearranged) are to receive the following information before their departure for the United States:

1. The purpose of the Exchange Visitor Program
2. Home-country physical presence requirement
3. Travel and entry into the United States
4. Housing
5. Fees payable to the sponsor
6. Other costs that the exchange visitor will likely incur (e.g., living expenses) while in the United States
7. Health care and insurance
8. Other information that will assist exchange visitors to prepare for their stay in the United States

[22 CFR §62.10(b)(1-8)]

What information is included in the orientation session? (Orientation)

Exchange Visitor Program regulations require sponsors to offer appropriate orientation for all exchange visitors. Orientation shall include, but not be limited to, information on:

1. Life and customs in the United States
2. Local community resources (e.g., public transportation, medical centers, schools, libraries, recreation centers, and banks) to the extent possible
3. Available health care, emergency assistance, and insurance coverage
4. A description of the program in which the exchange visitor is participating
5. Rules that the exchange visitors are required to follow under the sponsor's program
6. Address of the sponsor and the name and telephone number of the Responsible Officer
7. Address and telephone number of the Office of Exchange Coordination and Designation; and
8. A copy of the Exchange Visitor Program brochure outlining the regulations relevant to the exchange visitor.

[22 CFR §62.10(c)(1-7)]

Must all program participants of the Summer Work/Travel Program have pre-arranged employment before entering the United States?

No. Foreign students entering the United States without pre-placed/pre-arranged employment must have sufficient financial resources to support themselves during their search for employment. Sponsors are required to undertake reasonable efforts to secure suitable employment for participants who have not found suitable employment within one week of commencing their job search. Therefore, participants should contact their sponsor if they have not located employment within one week of arrival. [22 CFR §62.32(d)(1,4)]

Are there any restrictions on the type of employment a Summer Work/Travel program participant may hold?

Yes. Participants may not be employed as domestic employees in U.S. households (e.g., child care, chauffeurs, gardeners, etc.), in positions that require them to invest their own monies to provide themselves with inventory for the purpose of door-to-door sales or in any employment involving any type of patient care. [22 CFR §62.32(1)]

How are participants remunerated?

Summer Work/Travel participants are to receive the same pay and benefits as U.S. citizens in the same or similar positions. Sponsors must provide information about U.S. Federal Minimum Wage requirements to the participants prior to their acceptance in the program. [22 CFR §62.32(e)]

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| Are participants monitored? |
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Yes. Sponsors are required to ensure that the activity in which their participants are engaged is consistent with the category and activity listed on the exchange visitor's Form DS-2019. Monitoring can be conducted through the sponsor's employees, officers, agents or third parties. Sponsors are also to monitor the progress and welfare of their participants, as well as maintain their current U.S. address and telephone number. [22 *CFR* §62.10(e)(1-4)]

Sponsors must also provide participants a telephone number by which they may have 24-hour immediate contact with the sponsor organization/officials. Sponsors are also required to provide appropriate assistance to program participants on an as-needed emergency basis.

[22 *CFR* §62.32(f)(1-2)]

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